(BY AUTHORITY.) Laws of New Jersey

CHAPTER CCCXCVII. An set to organize the local government of the City of Belleville. CONTINUED.

to, in lieu of his other charges.

the amount required for each object, and paid, with the interest and penalty thereon that the expenditures for such specification and all costs, charges and expenses, and shall be confined to the objects therein spe- to execute under the common seal of said cified, and be appropriated to no other; city a declaration of such sale, to be signed and every male resident of said city, over by the mayor and city clerk, and to deliver the age of twenty-one years, shall be as- the same to the purchaser, and such purtax; and said board may borrow such sum or sums of money in anticipation of taxes as may be necessary, and may secure the or real estate for his and their proper use from taxes to be raised in said city in the

same year.
.45. And be it enacted, That the board of councilmen may establish by ordinance, certain limits in said city, to be called lamp scribe said lands, tenements or real estate, districts, and shall, in directing taxes to and specify the amount of the assessment shall be assessed on property lying within each lamp district, and the board of assespaid by the city and collected in the gen-

directed by the laws of this state, for assessthey may consider just as proper; it shall dents accepted. be the duty of said board to assess upon 50. And be it enacted. That the said valuation in the aforesaid lists, a percensale of any lands, tenements or real estate

lector of revenue in said city, in case of real estate for the amounts so paid, with the non-payment of taxes on or before the interest at the rate of seven per centural shall make out a list of the names of all lands, tenements or real estate; and on delinquents, with the sum due from them respectively, and shall deliver the same to real estate; and on foreclosure of any mortgage by such morting on the said clerk shall give notice of the filing of said map and report, in the official for the roads or avenues to be laid out or opened the clerk of the city, on or before the gage redeeming, shall be directed to be thirtieth day of December in each year, made out of said lands under any such except when said day shall fall on Sunday, judgment, shall be paid out of the proand then on the next day following; and it shall be the duty of the said clerk to lay the same before the board of councilmen, at a meeting thereof held next after the contain the time when such assessments and the city clerk shall mail a written or printed notice to each of the known owners of lands to be assessed therefor, which notice shall contain a genteral description of the Improvement in the city shall project, or enclosed area extended, of the peace of the city, who shall proceed and issue a tax warrant therefor, the time of sale, to whom shall proceed and issue a tax warrant therefor, the time of sale, to whom shall proceed and issue a tax warrant therefor, and shall state the time and place when and where the land to be assessed therefor, and shall state the time and place when and where the said board of coancilmen, or a committee.

All And be it enacted That it shall be a said board of coancilmen, or a committee. and then on the next day following; and it ceeds of the sale, and a complete record of taxes in townships, which shall be directed 51. And be it enacted. That it shall be in like manner, in all things, as the consta-declarations of sales as aforesaid, to give bles in townships are directed by law, but certificate of search in relation to liens to such collector shall, before he delivers such any person or persons applying for the list to said clerk, take and subscribe an same, and to cancel such declarations cath or affirmation before the mayor or city clerk, or a justice of the peace in said city, that the meneys in said list mentioned of the city treasurer of such redemption, have been duly demanded, or due notice and to file such certificate in said clerk's given at the usual places of residence of office; it shall be the duty of the treasurer such delinquents who could be found, or to make out two certificates for all property

may then reside in said city."
48. And be it enacted, That whenever, within the said city, any tax shall remain office. thereon, to be computed at the rate of twelve per centum per annum from said twelve per centum per until the same is paid, and on all taxes due mid payable which remain unpaid on the fifteenth day of February in any year, an additional penalty of five per centum shall be added and let the said city shall be liable to taxation. such penalty shall be paid over by the said to taxation, except mortgages on real and

49 And be it enacted, That personal d. vise, descent, slienation, mortgage or by tax every year, so much money as they shall not be paid and satisfied within the penses, and all other purposes authorized term for which any person will agree to by this act, and that the ordinances direct- take the same, and pay such tax or assessing the raising of said tax, shall set forth ment, or the balance thereof remaining unsessed the sam of four dollars, as a poll chaser, his executors, administrators or payment thereof by bond or other instru- against the owner or owners thereof and any such sum of money by loan unless the caused said sale to be advertised for at-repayment thereof shall be provided for least sixty days in at least two newspapers circulating in said city, and published in the county of Essex and by advertisements

be raised each year, designate how much is or tax, and the recitals in such declaration to raised for the expense of lighting the of sale shall be prima facie evidence in all streets, and shall provide that such taxes courts and places of the assessment, advertising and sales; provided that the lands, each lamp district, and the board of assess tenements or real estate so sold may be resors shall assess such taxes separately from all other taxes, in the manner aforesaid; or person interested therein, or by any provided, that one-fourth of the expense of other person for or on behalf of the own-provided, that one-fourth of the expense of other person for or on behalf of the own-provided, that one-fourth of the expense of other person for or on behalf of the own-provided, that one-fourth of the expense of other person for or on behalf of the own-provided, that one-fourth of the expense of other person for or on behalf of the own-provided, that one-fourth of the expense of other person for or on behalf of the own-provided, that one-fourth of the expense of other person for or on behalf of the own-provided, that one-fourth of the expense of other person for or on behalf of the own-provided, that one-fourth of the expense of other person for or on behalf of the own-provided, that one-fourth of the expense of other person for or on behalf of the own-provided, that one-fourth of the expense of other person for or on behalf of the own-provided, that one-fourth of the expense of other person for or on behalf of the own-provided, that one-fourth of the expense of other person for or on behalf of the own-provided, that one-fourth of the expense of other person for or on behalf of the own-provided of the time and effectual, if the same are approved by said commissioners as benefitted ing and proceedings upon such periods the expense of the expense o tenements or real estate, at any time witheral tax levy.

in two years after the sale, for either taxes lawful for the board or councilinen, by

46. And be it enacted, That the tax or assessments or for both, by paying to ordinance, to open, extend or widen any assessor and the supervisor of taxes shall the treasury of the city, for the use of the street or avenue' or any part thereof in the constitute a "board of assessors," all taxes said purchaser, the purchase money, tofor the purposes of the state, county gether with any other sums paid for taxes wise; on application in writing to the said and city shall be assessed by said or assessment, which the said purchaser board of councilmen, setting forth accuboard in the manner, and within the time, may have paid chargeable on such lands, rately the improvement desired, and the tenements or real estate, and which he is petitioner or petitioners for such improve-hereby authorized to do, with interest ment shall deposit with the city treasurer ing township, county and state taxes, or by hereby authorized to do, with interest the provisions of this act or of any ordin- thereon, at the rate of fifteen per centum nance adopted in accordance therewith; in per annum in addition thereto, and the cerorder that just and equitable valuation tificate of the treasurer of the city, stating may be established for all portions of the such payment, and showing what lands,

city, the tax assessor aforesaid (with the tenements or real estate such payment, assistance of the other members of the said is intended to redeem, shall be board, whose duty it shall be to aid him evidence of such redemption; a in the work in their respective wards,) mortgagee shall have power to redeem at shall prepare, on or before the first day of any time until the expiration of the six July of each year, full and complete list of months' notice herein specified, no morgaassessments upon all property, real or pergee whose mortgage shall have been duly sonal, within the said city; and the said recorded before sale for any taxes or assessboard shall diligently prosecute said work ment shall be affected by such sale, unless frequent meetings, at short intervals, six months' notice in writing shall have provement, showing the real estate to be such amount shall be set off against the until the same is complete; and it shall been given to him by the purchaser, or taken therefor, and all the property which, amount of the award unpaid; and if the require a vote of three-fourths of the mem- those claiming under him, either personal in the judgement of said commissioners, amount of the award unpaid be in excess, bers of said board to establish, alter or corly, or if not to be found in said city, directwill be benefitted thereby, designating the assessment shall be canceled, and such
rect each and every valuation in said lists ed to him at his last known place of resieach lot and parcel on said map by a numexcess only shall be paid to the person to of assessments; when the valuations afore dence, or at the post office nearest thereto, said are completed, the board of assessors but nothing herein contained shall be so shall give notice in the official paper published in said city, and said list shall be such tax, assessment or sale, that the said perty to be benefitted, and the interest of excess only shall be a lien upon the proper open for examination at least ten days term of time for which any land, tenement of each of the owners of real estate to be ty assessed, the rest of the award or assessthereafter, at the office of the city clerk, or real estate so sold as aloresaid shall not taken and when such names or estate are and said tax assessor shall be present at commence, nor shall said purchaser or not known, they shall so report; they shall celed.

Such time to here objections to said valuations of the charming under him, have a right of also appraise the value of the interest of 60. And be it enacted, That whenever tions, which shall be made under oath and possession to said land, tenement or real cs- each known owner of real estate to be land held by a tenant for life or years, and in writing, and each person taxed therein tate, until the two years limited for the reshall be at liberty to examine said list, in demption of the same shall have expired ; reference to his or her own taxes, until the and the said purchaser or those claiming first day of October following; and the said under him, shall at the expiration of such board may, after hearing an application a declaration of sale, quit and surrender therefor, by a vote of three-fourths of the the said lands, tenements or real estate in whole number of said board, revise and as good state and condition as when he encorrect said assessment in such manner as tered thereupon, natural wear and acci-

tage sufficient to produce the amount for assessments or taxes may be adjourned necessary for state and county taxes, and or postponed from time to time, or sus-for the sum required by ordinance to be pended, as said board may direct; and if raised for city purposes; and the board of at any sale the whole, or any part thereof, councilmen of said city shall in no case shall remain unsold for want of purchasers. have power to remit or reduce any taxes then it shall be lawful for the said board as assessed in said city; the tax assessors to adjourn the sale not less than thirty aforesaid shall have power to administer days, nor more than sixty days; twenty oaths or affirmations in the discharce of his days' notice, at least, shall be given, as duty, or the duties of the said board, under aforesaid, of the adjournment of said sale; this act, and all taxes so assessed for city and if at the adjourned sale there shall be purposes shall be collected by the collector no purchaser of said lands, tenements or of revenue, in the same manner as he is by real estate, or any part thereof, then it law directed to collect township, county shall be lawful far the treasurer of said improvement, in said lands; said tenant or tenants, his and state taxes, and shall be paid over by city to purchase said lands, tenements or and shall so determine the probable net or their legal representatives, shall, at the him to the city treasurer as soon as collect. ed, and all taxes shall be paid to said col-lector at his office in said city, upon his giving notice through the official newspa-paid for the redemption of said lands, pers circulating in said city, and by notices | tenements or real estate as aforesaid, toposted in twenty public places, that such gether with such taxes and assessment taxes are due and payable.

47. And be it enacted, That that the col-shall be a lien on said lands, tenements or

and delivered to the collector of revenue, the duty of the city clerk to record in a who shall have power to collect the same, book to be called "record of sales," all redeemed, one for the person redeeming and one to be filed in the said clerk's

unpaid after the twentieth day of Decem 52. And be it enacted, That it shall be ber in each year, it shall be lawful for, and the duty of the board of councilmen to shall be the duty of the collector of revenue to charge, receive and collect in addition to the amount of said tax, interest sold for assessment and taxes as aforesaid.

oath herein required. put up in at least five public places in said city, which advertisements shall de-

quired by this act to be done by said com-

58. And be it enacted, That it shall be

city, in the following manner and not othersuch sum of money as said board shall direct, being sufficient to cover the expense to be incurred, in case such improvement shall not be ordered; if said board shall official newspaper circulating in said city, is passed to carry out the same, which or dinance shall be referred to the commissioner of assessments, and a city surveyor,

said board of coancilmen, or a committee protect the same; and they shall have pow-thereof, will meet to hear and consider any er to take any lands that may be necessary objections to said report, or to the im- for opening, widening or altering of any provement, which may be presented in street or avenue, or any part thereof in writing, the time appointed for such ob- said city, but no lands shall be taken for jections being not less than ten days after the laying out, opening, widering, or althe expiration of said two weeks; and all teration of any street or avenue, without John H. Boschen. Chas. D. Boschen. objections made at such time and place, presented in writing, said board of councilmen shall consider and adjudicate upon, and the faid report and map shall be returned to said commissioners of assessments, by resolution of the council, and the awards or assessment made in said report aball be considered accordingly to a said report aball be considered accordingly to a said report shall be corrected accordingly by said commissioners, and said report and map, when corrected, shall be filed with the city operated within twenty days thereafter, if said clerk within twenty days thereafter, if said contains in a larger reportion than most other contains in a larger report and map, when corrected accordingly by said lawful for the board of councilmen, by orcommissioners, and said report and map, when corrected, shall be filed with the city operation. It is a larger report of the containing a clerk within twenty days thereof the containing a clerk within twenty days the containing a clerk within twe

collector of revenue to the treasurer of the personal property therein, which said of more than one-balf of the property per menta, who shall examine into the whole eity, in like manner and at the same time mortgages shall be exempt from taxation linear feet front to be assessed for the im matter impartially, and to the best of their as he may be required to pay over to said in the hands of any citizens of this state. provement, shall summistrate against the skill, judgment and ability, and who shall same being made; said hoard of control of such mortgage shall same being mortgage. not be deducted from the value of the tax | men shall thereupon pass a resolution di- made of said improvement, distinguishing taxes and taxes upon goods and chattels she property within said city.

That personal she deducted from the value of the same and taxes upon goods and chattels she property within said city.

That all taxes paid to the persons to whom the awards map, and they shall estimate the whole in the city of Belleville against any person shall be assessed, levied and collected in are made for real estate taken, and damages coast of said improvements according to 48. And be it enseted, That in all cases or persons, shall be and remain a liet on said city in the manner prescribed in this sustained in making said improvements, the best of their judgment, and shall assess in which persons shall bring writs of cer- all the land and real estate of such person act, and no act shall be deemed to repeal and the city treasurer shall tender and pay such estimated cost upon the lands and tiorari to remove the proceedings of the or persons within the said city, and all tax- or modify this section unless expressed in to the owner of said lands, if a resident of real estate benefited in proportion to the board of councilmen, it shall be lawful for the city clerk to charge and receive from the parties bringing such certiorari, or presenting the anne, at the rate of ten cents per folio for the necessary return there to illustrate the councilmen to the city of billouries bringing and the councilmen to the city of Belleville such act to apply to the city of Belleville such act to apply to the city of Belleville by name.

The councilmen, it shall be lawful for the said city, the amount of such award due to him, but if such owner is not a return the councilment of the city of the said city, the amount of such award due to him, but if such owner is not a return the council such assessed to be levied, assessed or made upon any lands by name.

55. And be it enacted, That it shall be sident of the said city, or if upon inquiry precitable, with the amounts assessed to lawful, and it shall be the cannot be found therein, or is a lunarity to in liter of the owner of said into the owner of said city, the amount of such award due to him, but if such owner is not a return the council such assessed to the said city, or if upon inquiry this section unies expressed in the owner of said city, the amount of such award due to him, but if such owners of the lots or parcels, as far as practicable, with the amounts assessed to lawful, and it shall be the cannot be found therein, or is a lunarity that a resident of the said city, the amount of such award due to him, but if such owners of the lots or parcels, as far as practicable, with the amounts assessed to lawful award due to him, but if such owners of the o board of councilmen to appoint three per- or idiot, or it, for any ther lawful cause, with the clerk of said city, within twenty sons, who shall be residents of different he is incapacitated to receive the same, or four days thereafter, the clerk shall give 44. And be it enacted. That it shall be other encumbrance thereon; and that if the wards, and freeholders of said city, to be if said owner shall not or will not accept notice of the filing of any such report and lawful for the board of councilmen to raise full amount of any such tax or assessment called commissioners of assessments for the same and sign a proper receipt therefor map within ten days after the same shall street improvements, and they shall take when tendered, then the treasurer shall be filed with him in the official newspapers deem expedient for the purpose of light time limited and appointed by the said and subscribe the oath required by this make affidavits of such facts, and file the circulating in said city, and by five notices ing the streets, supporting a day and night board for the yment thereof, it shall and act, and shall be appointed annually for same with the city clerk, and the board of put up on the line of said improvement; police, for repairing streets and roads, supmay be lawful for the said board to cause the term of one year, as provided in seccouncilmen shall after inquiry into the provided, that when a petition for an importing and maintaining public schools, such lands, tenements or real estate to be tion thirty-five of this act; and in case facts of the case, by resolution, direct the provement states that the prisons and lock-ups, for contingent ex sold at public auction for the shortest any one or more of the said board of comamount of such award to be placed either penses, and all other purposes authorized term for which any person will agree to missioners of assessments shall be interestin the city treasury, or some bank or trust take the same, and pay such tax or assess- ed in any assessment or improvement, then company, where the same shall draw intethe board of councilmen shall appoint rest at the rate of not less than five per some discreet and impartial freeholder or cent. per annum, for the use of the person proporty by the commissioners of assess freeholders residing in said city, to serve to whom it may be due; and upon filing ments, shall be a len thereon until paid with said board of commissianers of assess- such receipt of the owner, or the passing that then and in that case, the board of ments in lieu of the commissioner or com- of such resolution by said board of counmissioners so interested, and the person so cilmen, the lands so taken shall be vested appointed shall take and subscribe the in the said city of Belleville, and the city officers may proceed with such improve-56. And be it enacted. That said board ment, and the said money so deposited of commissioners for street improvements shall be paid by proper warrant to the perport, or a shall possess and exercise all the powers in son entitled thereto, on demand, with act this act. this act prescribed, in all cases and mat-crued interest thereon; provided, that ters referred to them by the board of coun where the commissioner shall have report in twenty days after the filing of said rement under the common seal and signature all persons claiming under him or them, of the mayor, attested by the city clerk, but until bis said term shall be completed and it shall not be lawful for said board to raise ended; but said board shall first have council of said city, but this act shall not any plot as unknown said resolution shall the owners of a majority of the lands in caused said sale to be advertised for at affect any proceedings in cases of such im- direct the sum of the award on account of lineal feet to be assessed for such improveprovements now in the hands of commis such plot to be paid to the owners thereof ment shall file with the clerk a remon sioners heretofore appointed under acts re-lating to street improvements in Belleville and any such owner or person interested in lawfully authorized, said board of countownship, and all such proceedings hereto- said land, may, by bill in chancery, ac- cilmen shall proceed forthwith to execute fore referred shall be conducted and con- cording to the practice of that court, have and carry out said improvement under cluded by the commissioners to whom the the said sum distributed, or in whole or in said application, and all costs and ex-

same have been referred, the same as if part paid over to him or to her as law and this act had not been passed.

| part paid over to him or to her as law and penses incurred in such proceedings shall justice may require; after the completion of he repaid to the said city by the petitioners. 57. And be it enacted, That all sets re said improvement, the said commissioners for such improvements, in case of such of asses ments shall report to said board majority of owners remonstrating against missioners of assessments, shall be valid of councilmen the actual net cost thereof, the same, and the board of councilmen sioners, as corrected by the said board; the back said report and map to said commis assessment so made, when filed with the sioners of assessments for alterations of city clerk and confirmed by the board of corrections in matters of form or subcouncilmen, shall constitute a lien upon stance, when they deem the same necessary ; each parcel of said lands for the amount assessed to the same.

aforesaid, it shall appear that an award provements provided for in the sixtyperson is also assessed for benefits received liminary map and estimate of the assesson account of the same improvement, ments, and to proceed by ordinance to then, if the assessment equal or exceed the cause said improvements to be made forth favor the application the same shall be ad-vertised by the board of councilmen in the award; no payment shall be made on ac-with. count of such award; and if the award for two weeks at least before the ordinance exceed the assessment, only so much of the award as is in excess shall be paid, and the resolution of the board of councilmen ordering the award to be paid shall be not interested in such improvement, who tramed accordingly, and when the amount shall therenoon make a map of such im- to be assessed shall be finally determined, ber; said commissioners shall also ascertain whom the award is made; and if the so far as practicable, the names of the own- amount of the assessment be in excess, the

taken, and the damage to be done to such the fee in remainder or reversion, shall be owner by taking the same, considering in taken for the opening, extending or widen such appraisal the condition in which ing of any street or avenue, of any past-each owner's parcel of real estate will be thereof, the benefits to be done to the resi left after taking as much thereof as will be due of any lot or parcel of land, a part of required for the improvement; and where which may be taken for such improvethe estates in any plot of land are unknown ments, shall be estimated in the same manthey shall appraise the value of, or the ner as to other lands, and the commissiondamage done to the fee simple, said com ers of assessment shall include in their premissioners shall also estimate all other ex- liminary and final report, the value of the penses likely in their judgment, to attend land taken for such improvements and the the completion of the improvement provi value of the erections thereon, and the ded, that where the line of such improve- damages aforesaid, done by taking or rement would bisect any building, the said moving the same, and to whom said lands commissioners may determine, as shall belong, and the interest and estate of the seem to them most just, to take or to re- several owners in the same, as far as pracquire the owner or owners thereof to move ticable, and the commissioners shall in it back from the line of improvement, in their report apportion such value and damcase the owner or owners thereof have land enough left for that purpose, and their appraisement shall be made accordingly; said commissioners shall also estimate the tenant for life or years, and such tenant amount likely to be realized from the sale shall pay such assessments or taxes, or the of any buildings or parts of buildings to same may be made by a sale of his interest be taken on account of said improvement, in said lands; said tenant or tenants, his probable net cost they shall then assess up- such principal sum, as well us the appraise on the land to be benefitted, in proportion ed value of all improvements made thereon to the benefit to be received; thereupon by said tenant, by a reversioner, his heirs they shall, under their hands, make a re- or assigns, and shall have a lien upon said port of the facts ascertained, and of the lands for the same, and may, by bill in cerning said improvements, and shall file court of chancery, except the allegations physicians for he such report and map with the city clerk in the bill, shall be the same as if said rej by all grocers. within twenty days after the reference to versioner had given a mortgage on said them, or within such further time as said lands, and raid bill was filed for the foreboard of councilmen shall grant; thereup- closure thereof, and such lien shall have a

filing of said map and report, in the official

61. And be it enacted, That all streets,
newspaper circulating in said city, for the
space of two weeks, and by at least five
shall not be less than forty, nor more than
notices put up on the line of said improveone hundred feet in width; the sidewaks allowing or paying to the owner or owners thereof, the fair value of the lands taken, and for the improvements and buildings

board of councilmen shall then determine part thereof in said city; to build sewers, to make said improvement, notwithstand-drains and receiving basins in and upon ing any objection to the same, the said any street, road, or avenues in said city, or board shall confirm said awards; with the corrections, if any, and order the said improvement to be made and completed in applications shall be advertised by the habits. under the supervision of said commissioners of assessments; provided, the said board of councilmen shall not proceed to board of councilmen shall not proceed to ry out the same, which ordinance shall be mare any such improvement if the owners referred to the commissioners of assess.

whose names are signed thereto, will pay all the expenses and costs of the improvement applied for, and that they consent that the amounts assessed against their ments, shall be a lien thereon until paid councilmen may, by ordinance, proceed forthwith to execute and carry out said improvement under said application; and it shall not be necessary to advertise said petition, make the preliminary map and report, or do any other matters required by

63. And be it enacted, That unless with provided, that whenever the owners of assessed to the same.

59. And be it enacted. That whenever, by the report and map of the said commissioners of assessments, corrected as aforesaid it shall appear that are agreed as a source of the property interested per lineal feet along the line of any street or avenue shall apply in writing to the board of councilmen for any of the imhas been made to any person for property second section of this act, the council taken or damages sustained and that such shall have power to dispense with the pre-

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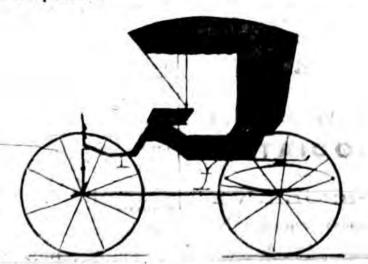
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